

**From:** [Burow, Kathy](#)  
**To:** [Burow, Kathy](#)  
**Subject:** RE: Potential Conflict  
**Date:** Friday, May 26, 2017 1:56:32 PM

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**From:** Burow, Kathy  
**Sent:** Thursday, May 18, 2017 3:49 PM  
**To:** Ketcham, Lori <[Lori.Ketcham@nrlb.gov](mailto:Lori.Ketcham@nrlb.gov)>; Gilman, Joseph <[Joseph.Gilman@nrlb.gov](mailto:Joseph.Gilman@nrlb.gov)>; Allen, Jamal <[Jamal.Allen@nrlb.gov](mailto:Jamal.Allen@nrlb.gov)>; Skinner, Shelly C. <[Shelly.Skinner@nrlb.gov](mailto:Shelly.Skinner@nrlb.gov)>  
**Subject:** RE: Potential Conflict

(b) (5)

[REDACTED]

Valerie understands her recusal obligation and will make sure that she is screened from this case.

Additional notes from email to Ethics Staff on 17 -

Lori,

This question came in last night from the RD of Region 32, Valerie Hardy-Mahoney. Based on the information that she has provided, she has not violated 18 USC 208. (b) (5)

[REDACTED]

During our review, we noted that you reported investments in stocks where the value exceeded the regulatory exemption limit of \$15,000. These stocks include Apple, (b) (6). Therefore, you should not participate in any particular NLRB matters **involving** any of these companies unless you have received a waiver from me pursuant to 18 U.S.C. § 208(b)(1), or the value of the stock at issue falls below \$15,000.

The matter **involves** Apple but, as Valerie explains below, Apple is not the charging or charged party.

(b) (5)

[REDACTED]

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**From:** Burow, Kathy  
**Sent:** Thursday, May 18, 2017 3:42 PM  
**To:** Ketcham, Lori <[Lori.Ketcham@nrlb.gov](mailto:Lori.Ketcham@nrlb.gov)>; Gilman, Joseph <[Joseph.Gilman@nrlb.gov](mailto:Joseph.Gilman@nrlb.gov)>; Allen, Jamal <[Jamal.Allen@nrlb.gov](mailto:Jamal.Allen@nrlb.gov)>; Skinner, Shelly C. <[Shelly.Skinner@nrlb.gov](mailto:Shelly.Skinner@nrlb.gov)>  
**Subject:** FW: Potential Conflict

FYI – Clearly this requires her recusal. I haven't been able to speak with her yet but will do so this afternoon.

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**From:** Hardy-Mahoney, Valerie M.  
**Sent:** Thursday, May 18, 2017 2:26 PM  
**To:** Burow, Kathy <[Kathy.Burow@nrlb.gov](mailto:Kathy.Burow@nrlb.gov)>

**Cc:** Ventola, Catherine L. <[Catherine.Ventola@nlrb.gov](mailto:Catherine.Ventola@nlrb.gov)>

**Subject:** FW: Potential Conflict

Hi Kathy:

Since this is a priority case, things are moving quickly here and I was hoping to hear back from you this afternoon. (b)(5)

I don't know the details because I haven't been in the agendas and discussions today.

Best,

Valerie

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**From:** Hardy-Mahoney, Valerie M.

**Sent:** Wednesday, May 17, 2017 5:10 PM

**To:** Burow, Kathy <[Kathy.Burow@nlrb.gov](mailto:Kathy.Burow@nlrb.gov)>

**Cc:** Ventola, Catherine L. <[Catherine.Ventola@nlrb.gov](mailto:Catherine.Ventola@nlrb.gov)>

**Subject:** Potential Conflict

Hello Kathy:

I hope you are doing well. On Friday, May 12, 2017, a charge, Case 32-CD-198681, attached above, was filed by Rudolf and Sletten, a general contractor, against IBEW, Local 332. The charge alleges that IBEW violated Section 8(b)(4)(D) of the Act by engaging in prohibited conduct (a work stoppage) in furtherance of its claim on work performed by Rudolf and Sletten's carpentry subcontractor, George Family Enterprises, using Carpenters Union-represented employees instead of IBEW-represented employees. The work is the building of Apple's new campus in Cupertino. Apple hired Rudolf and Sletten, as well as two other general contractors to build the new campus. So far, Apple has advised charging party Rudolf and Sletten that it will not cooperate in the charge in anyway. The investigating Board agent has nonetheless requested an affidavit from the Apple representative in charge of the worksite because, allegedly, an IBEW representative threatened (b)(5), (b)(7) that unless the George Family Enterprises work was reassigned from the Carpenters to IBEW, IBEW would engage in sabotage of the disputed work.

I own over \$15,000 in Apple stock. I have not recused myself from this case to date because Apple is not the charging or charged party. Am I proceeding correctly? (b)(5)

(b) (5) . Until I hear from you, I won't have anything to do with the investigation.

Thanks for your help,

Valerie

*Valerie Hardy-Mahoney*

Regional Director

National Labor Relations Board

Region 32

1301 Clay Street, Suite 300N

Oakland, CA 94612

Telephone: 510-671-3028

Fax: 510-637-3315

**From:** [Kwon, Christy](#)  
**To:** [Plummer, Patrick R.](#)  
**Cc:** [Meiners, Denise](#)  
**Subject:** RE: FOIA requests relating to Apple, Inc.  
**Date:** Wednesday, January 26, 2022 2:29:12 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

Hi Patrick, below is a list of cases that Valerie is recused from because of stock holdings. If you need more information or would like to talk by phone please let me know! Thanks, Christy

VAL'S RECUSAL LIST

(b) (6)

Apple Inc.;

(b) (6)

**From:** Plummer, Patrick R. <Patrick.Plummer@nlrb.gov>  
**Sent:** Wednesday, January 26, 2022 11:23 AM  
**To:** Kwon, Christy <Christy.Kwon@nlrb.gov>  
**Cc:** Meiners, Denise <Denise.Meiners@nlrb.gov>  
**Subject:** FW: FOIA requests relating to Apple, Inc.

Hello Christy. I hope you are safe and well. And thank you for your initial email heads-up on Monday as to Val's and David Kelly's recusal status involving Apple.

My supervisor and I spoke with various persons earlier in the week. Kathy Burrow (Ethics), Elizabeth Kilpatrick (Operations) and (b) (6) (R-32) all were quite helpful. Kathy and Elizabeth had indicated that you might be able to provide us with the certification of conflicts list/list of recusals/conflicts-of-interest list (I'm not certain which is the correct terminology) in cases as to Region 32. Kathy indicated that the Region is required to maintain this list.

If this is correct, could you please share that list with us? I ask—noting also that this isn't a record that FOIA would be releasing to the requester(s) or the public. It is something that would help us to address the FOIA request in NLRB-2020-000449 (see request narrative below). One thing to note there: the requester is inquiring as to records from 2017-2022 (present).

I am happy to speak with you as well—if that would be more convenient to you. Additionally, my schedule is fairly wide open for the remainder of the week.

Many thanks for your help! Details as to all three related FOIA requests involving Region 32 below.

~Patrick

**From:** Hardy-Mahoney, Valerie M. <Valerie.Hardy-Mahoney@nlrb.gov>  
**Sent:** Monday, January 24, 2022 3:42 PM  
**To:** Plummer, Patrick R. <Patrick.Plummer@nlrb.gov>; Ventola, Catherine L. <Catherine.Ventola@nlrb.gov>; Kelly, David A. <David.Kelly@nlrb.gov>  
**Cc:** Meiners, Denise <Denise.Meiners@nlrb.gov>; Sullivan, Joan A. <Joan.Sullivan@nlrb.gov>  
**Subject:** RE: FOIA requests relating to Apple, Inc.

Dear Patrick,

I have a conflict of interest regarding the investigation of all our Apple cases. RA Christy Kwon and SFA Cathy Ventola will assist you with these FOIA matters.

Best regards,

Valerie

*Valerie Hardy-Mahoney*

Regional Director  
National Labor Relations Board  
Region 32  
1301 Clay Street, Suite 300N  
Oakland, CA 94612  
510-671-3028

**From:** Plummer, Patrick R. <Patrick.Plummer@nlrb.gov>  
**Sent:** Monday, January 24, 2022 8:25 AM  
**To:** Ventola, Catherine L. <Catherine.Ventola@nlrb.gov>; Kelly, David A. <David.Kelly@nlrb.gov>; Hardy-Mahoney, Valerie M. <Valerie.Hardy-Mahoney@nlrb.gov>  
**Cc:** Meiners, Denise <Denise.Meiners@nlrb.gov>; Sullivan, Joan A. <Joan.Sullivan@nlrb.gov>  
**Subject:** FOIA requests relating to Apple, Inc.

Good morning. We have received three FOIA requests relating to charges filed against Apple, Inc.

A FOIA request received from Patrick McGee, a reporter with the Financial Times, filed on January 11, 2022, is detailed in the forwarded email, below. Over the weekend, we received two more requests, as described below, from Ashley Gjævik. Our quick search of NxGen shows us that she is the CP in five pending unfair labor practice cases with the Regional Office, and that her latest may have been transferred to Region 21.

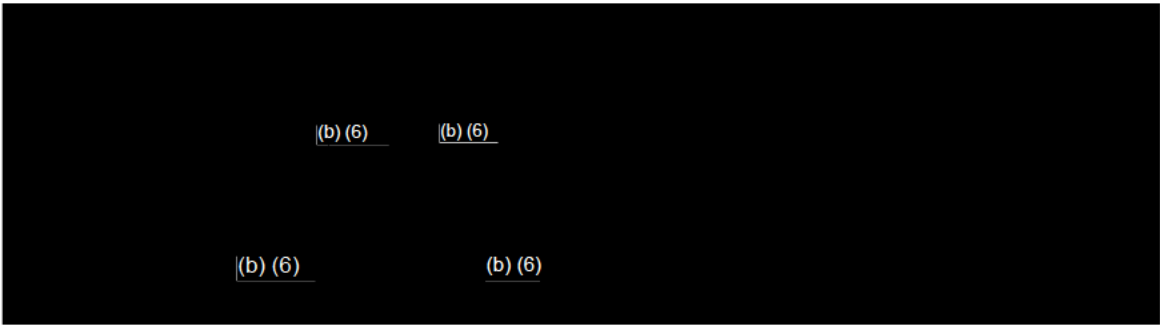
We are seeking any background information relating to these FOIA requests, as well as any information about the recusal process for Board employees (is that done through emails to Operations or the Ethics office? Would it be reflected in the NxGen case file?)

Obviously, we are at the early stage of processing these FOIAs and have not made any decisions on what agency records/information should/not be released under the FOIA. The cases are open so as we initially see it, we have Exemption 7(A) to protect investigatory records in the file.

I am cc'g my Supervisor, Denise Meiners, as well as Associate General Counsel Joan Sullivan, on this email, to keep everyone in the loop and with the hope we can meet and discuss the charges, the FOIA requests and any conflict/recusal issues.

We would like to set up a time this week. Is there a time either later today, or tomorrow, where all might be available to meet? If you could let us know what time would work (or not) we will set up a meeting through TEAMS.

Thank you! (Again, additional details are below)



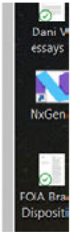
(b) (6)

(b) (6)

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(b) (6)

NLRB-2022-000449		Request	Simple	Ms. Ashley M. Gjovik	01/24/2022	Initial Evaluation	<input type="checkbox"/> Assign	
Request Type		FOIA						
Description		Hello, I'd like to please request any documents (reports, forms, etc) or communications (letters, emails, phone call notes, etc) about the Region 32 Director, Valerie Hardy-Mahoney, recusal from Apple Inc cases & any documented conflict of interest Ms. Hardy Mahoney has with Apple Inc.						
		Timeframe: 2017-2022 (current)						
		Region 32: <a href="https://www.nlr.gov/about/nlr/who-we-are/regional-offices/region-32-oakland">https://www.nlr.gov/about/nlr/who-we-are/regional-offices/region-32-oakland</a>						
		Thank you!						



*Patrick R. Plummer*  
Attorney-Advisor  
National Labor Relations Board  
FOIA Branch  
202-273-2999  
[patrick.plummer@nlrb.gov](mailto:patrick.plummer@nlrb.gov)  
<https://www.nlr.gov/how-we-work/fillable-forms/e-foia-request-form>

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<https://www.nlr.gov/how-we-work/fillable-forms/e-foia-request-form>